



**COMMISSION FOR CONCILIATION, MEDIATION & ARBITRATION**

**National Office**

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**REQUEST FOR QUOTATIONS "RFQ"**

<b>RFQ NO:</b>	<b>RQN00000183760</b>			
<b>DESCRIPTION OF SERVICES REQUIRED:</b>	THE CCMA INVITES QUOTATIONS FROM REPUTABLE AND COMPETENT SERVICE PROVIDERS TO SUPPLY A SOFTWARE PACKAGE THAT WILL BE USED FOR THE ELECTRONIC COLLECTION OF DATA TO EXPEDITE THE DATA COLLECTION PHASE IN A RESEARCH PROCESS FOR A PERIOD OF THIRTY-SIX (36) MONTHS.			
	SPECIFICATION ATTACHED BELOW			
<b>ISSUING DATE:</b>	<b>05 AUGUST 2022</b>			
<b>CLOSING:</b>	<b>TIME:</b>	<b>16H00</b>	<b>DATE:</b>	<b>19 AUGUST 2022</b>
<b>RETURNABLE DOCUMENTS</b>	A tax compliance status PIN must be included in the bid response to verify bidders' tax compliance status  SBD 4 (duly completed and signed)  SBD 6.1 (duly completed and signed)  Annexure 8: Sworn Affidavits / BBBEE Certificate issues by CIPC or accredited SANAS Verification Agency  POPIA consent form			
<b>QUOTATION VALIDITY PERIOD:</b>	90 days			
<b>CONTACT PERSON:</b>	Keitumetse Molupe at <a href="mailto:KeitumetseMo@CCMA.org.za">KeitumetseMo@CCMA.org.za</a> or 011 377 6948			

DELIVERY OR SUBMISSION INSTRUCTIONS FOR RFQ:	The submissions of the quotations must be emailed to: <a href="mailto:RFQ@CCMA.org.za">RFQ@CCMA.org.za</a> only All quotations need to be on an official letterhead (All cost included)
DISQUALIFICATION	Quotations not submitted to the <a href="mailto:RFQ@CCMA.org.za">RFQ@CCMA.org.za</a> will be disqualified.

## 1. INTRODUCTION

1.1 The Commission for Conciliation, Mediation and Arbitration (CCMA) is an independent organisation that was established by the Labour Relations Act of 1995 (LRA) to deliver dispute prevention and resolution services to the people of South Africa. The core mandate of the CCMA, as one of the organisations charged with implementing the LRA, is derived from the purpose of the LRA which, amongst others, is to advance economic development, social justice, labour peace and the democratisation of the workplace.

## 2. EXECUTIVE SUMMARY

2.1 The overarching strategic function of the CCMA's Business Research and Intelligence Sub-Unit under the Governance and Strategy Department is to conduct robust business research to ensure reliable, relevant, and valid information is available to the CCMA leadership for both strategic and operational purposes. The subunit makes use of cutting-edge research and evaluation methodologies so as to ensure excellent service delivery to internal and external consumers of research information and intelligence. A critical aspect of ensuring that quality data is availed for research purposes entails ensuring efficient data collection systems. As such the CCMA requires a suitable electronic data collection software system that is complimentary to the existing data management systems already within the Business Research and Intelligence Sub - Unit.

## 3. OBJECTIVE

3.1 The CCMA requires a service provider to supply a software package that will be **used for the electronic collection of data to expedite the data collection phase in a research process. This software can be similar to the use of Microsoft Forms.** The CCMA invites quotations from reputable and competent service providers for the provision of such a software for a period of thirty-six (36) months.

## 4. SCOPE OF WORK

This is an RFQ for an electronic data collection software. **Functionality** must include the following:

- The software system must accommodate a minimum of 4 users
- Ability for a end user to develop up to 100 online surveys per calendar year for the duration of the contract. Therefore, a minimum requirement of approximately 300 online surveys per contract year.

- Ability of the software system/package to collect data electronically through the use of weblinks that can be circulated via email, mobile phones, social media and can be mounted on the CCMA's website accessible on [www.ccma.org.za](http://www.ccma.org.za).
- Ability of the software system/package to show results (specifically a frequency and percentages of results per question)
- Ability of software system/package to permit output in different data files (e.g., CSV and Excel) for analysis in different statistical data analysis software, such as OLRAC SPSS
- Software system/package must permit end user customisation of surveys (including picture upload and the use of different themes on the designed questionnaires for branding purposes).
- Advanced features for data safety and security purposes in order to comply with POPIA requirements
- The service provider should have the ability to train the end user on the proposed data collection software and provide the requisite user guide and ongoing support throughout the duration of the agreement.
- The service provider can be a verified third-party licence holder or own the proposed data collection software, but in the former's regard, must be able to access support from the primary software owner (if not owned).

## 5. EVALUATION CRITERIA

FUNCTIONALITY EVALUATION CRITERION	
5.1. Fitness of Solution Proposal in relation to the scope of work	Weight
<ul style="list-style-type: none"> <li>• The product must be an electronic data collection system</li> <li>• The system must permit the development of online surveys</li> <li>• The system must permit distribution of surveys using various platforms</li> <li>• The system must have data capturing functionality</li> <li>• The system must be able to collect and collate data in a centralised hub</li> <li>• The service provider must be a verified third-party licence holder or own the proposed data collection software (evidence of a distribution licence to be submitted with the proposal if service provider does not own the software)</li> <li>• The system must allow for exportation of data from multiple data formats including Excel, Access and CSV</li> <li>• Solution Proposal addresses all components of the above solution in full = 55</li> <li>• Nil response (no answer provided) or completely fails to address all of the above solution components = 0</li> </ul>	55
5.2. Human Resource Capability (Curriculum Vitae of key personnel)	Weight
<b>Note:</b> The bidder <u>must</u> attach <b>Curriculum Vitae</b> for the personnel who will be assigned to support the CCMA as it makes use of the electronic data collection software. All people should have the relevant experience with the software. The personnel should include Project Manager.	20

<p><b>Project Manager - Years of experience in projects using the proposed data collection software: (10 Points)</b></p> <ul style="list-style-type: none"> <li>• 5 or more years' relevant experience = 10</li> <li>• 4 &lt; years' relevant experience = 8</li> <li>• 3 &lt; years' relevant experience = 6</li> <li>• 2 &lt; years' relevant experience = 4</li> <li>• 1 &lt; years' relevant experience = 2</li> <li>• 0 years' relevant experience = 0</li> </ul> <p><b>Key personnel - Years of experience of proposed project team using the proposed data collection software (10 Points)</b></p> <ul style="list-style-type: none"> <li>• 5 or more years' relevant experience = 10</li> <li>• 4 &lt; years' relevant experience = 8</li> <li>• 3 &lt; years' relevant experience = 6</li> <li>• 2 &lt; years' relevant experience = 4</li> <li>• 1 &lt; years' relevant experience = 2</li> <li>• 0 years' relevant experience = 0</li> </ul> <p><b>Submissions of proof of work can be done via accessible links or open files</b></p>	
<p><b>5.3 Project Management (approach and methodology of how the project will be implemented)</b></p> <p>The Project plan <b>must</b> incorporate the components below:</p> <ul style="list-style-type: none"> <li>• Scope (Deliverables)</li> <li>• Detailed timeline of project</li> <li>• Project risks (the service provider to provide a brief report on what are the risks involved with data collection and storage and how could we avoid or mitigate them)</li> <li>•</li> </ul> <p>The following items <b>must</b> form part of the Score for the duration of the contract:</p> <ul style="list-style-type: none"> <li>• Electronic user manual in the software</li> <li>• Ongoing operational support (Online, Email and telephonically)</li> <li>• Software updates (at a discounted rate) for the duration of the contract – must be highlighted in the pricing schedule</li> <li>• Provision of detailed functions, approach, security, plan and installation of the software</li> <li>• Ability to be installed in a system that works with Microsoft Windows</li> <li>• 36 - hour Query Resolution Turnaround time</li> </ul> <p>Project plan submitted addresses all of the above guidelines = 15 Project plan submitted does not address all of the above guidelines = 0</p>	15

**5.4 Track record** - please provide a reference letters of previous work or project of similar nature completed from the clients. **10**

The reference letters from the clients **must** include:

- company name
- company letter head
- contact person
- contact telephone numbers
- The duration of the project

N/B: Reference Letters without the above inclusions, will be automatically disqualified

- 5 or more reference letters = **10**
- 4 < reference letters = **8**
- 3 < reference letters = **6**
- 2 < reference letters = **4**
- 1 < reference letter = **2**
- No reference letter = **0**

**Bidders with a total functionality score of less than 60 points for functionality will be disqualified**

Only bidders who met minimum threshold will be evaluated in terms of the 80/20 evaluation system in line with PPPFA Regulations of 2017.

Total points for Functionality	<b>100</b>
<b>1. A minimum requirement for functionality out of 100 is</b>	<b>60</b>
<b>2. Price</b>	
2.1. Points allocated for price	<b>80</b>
<b>3. B-BBEE Status Points</b>	
3.1 Points allocated for B-BBEE	<b>20</b>
<b>TOTAL FOR PRICE and B-BBEE PREFERENCE POINTS</b>	<b>100</b>

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### 2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

- 2.2 Do you, or any person connected with the bidder, have a relationship

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
 .....

### **3 DECLARATION**

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned,  
 (name)..... in  
 submitting the accompanying bid, do hereby make the following  
 statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....	.....
Signature	Date
.....	.....
Position	Name of bidder



## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) The 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

## 2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

**80/20**

**or**

**90/10**

$$P_s = 80 \left( 1 - \frac{Pt - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{Pt - P_{\min}}{P_{\min}} \right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

$P_{min}$  = Price of lowest acceptable bid

#### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (80/20 system)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

## 5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

## 6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)  
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

## 7. SUB-CONTRACTING

- 7.1 Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

YES		NO	
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- 7.1.1 If yes, indicate:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- Whether the sub-contractor is an EME or QSE

(***Tick applicable box***)

YES		NO	
-----	--	----	--

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME √</b>	<b>QSE √</b>
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		

Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

- ☐ Partnership/Joint Venture / Consortium
  - ☐ One person business/sole propriety
  - ☐ Close corporation
  - ☐ Company
  - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
 .....  
 .....  
 .....  
 .....

**8.6 COMPANY CLASSIFICATION**

- ☐ Manufacturer
  - ☐ Supplier
  - ☐ Professional service provider
  - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a

fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....



## COMMISSION FOR CONCILIATION, MEDIATION & ARBITRATION

**TO THE CCMA**

### **PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013**

By signing this referral form;

- a) I/we hereby grant my/our voluntary consent that my/our personal information may be processed, collected, used and disclosed in compliance with the Protection of Personal Information Act, 4 of 2013.
- b) I/we furthermore agree that my/our personal information may be used for the lawful and reasonable purposes in as far as the CCMA (responsible party) must use my/our information in the performance of its public legal duty.
- c) I/we understand that my/our personal information may be disclosed to a third party in as far as the CCMA must fulfil its public legal duty.
- d) I/we furthermore understand that there are instances in terms of abovementioned Act where my express consent is not necessary to permit the processing of personal information, which may be related to litigation or when the information is publicly available. Further details are available on the CCMA website.

**SIGNED AT \_\_\_\_\_ ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2022**

**COMPANY NAME:** \_\_\_\_\_

**INITIAL AND SURNAME OF REPRESENTATIVE OF THE COMPANY:** \_\_\_\_\_

**SIGNATURE OF REPRESENTATIVE OF THE COMPANY:** \_\_\_\_\_